

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Serial No. 09/763,955

Filed: February 28, 2001

Atty. Ref.: LCM-1331-334

TC/A.U.: 1623

Examiner: Patrick T. Lewis

For: COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL DISEASES

September 14, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## **INFORMATION DISCLOSURE STATEMENT**

Sir:

As suggested by 37 C.F.R. 1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the references listed on the attached form PTO/SB/08a which were cited in an Office Action in corresponding European Patent Application No. 99968207.3.

This is not to be construed as a representation that a search has been made or that no better prior art exists, or that a reference is relevant merely because cited.

The Examiner is requested to initial the attached form PTO/SB/08a and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

Pursuant to Rule 37 C.F.R. §1.97(c), a fee of \$180.00 as specified in Rule 17(p) is attached. If there is any shortage in the fee, please charge the deposit account of Nixon & Vanderhye, Account No. 14-1140.

Respectfully submitted,

## **NIXON & VANDERHYE P.C.**

By:

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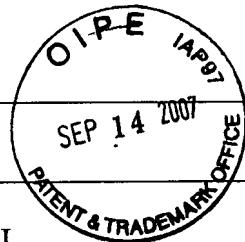
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## **INFORMATION DISCLOSURE CITATION**

ATTY. DOCKET NO.

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VON BORSTEL

**FILING DATE**

## GROUP

(Use several sheets if necessary)

February 28, 2001

1623

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## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)**

	Office Action issued by European Patent Office Communication pursuant to Article 96(2) EPC; European Patent Application No. 99 968 207.3 – 2123 dated 24 August 2007 (6 pgs).
	Cacabelos, R., et al; "Therapeutic Effects of CDP-Choline in Alzheimer's Disease Cognition, Brain Mapping, Cerebrovascular Hemodynamics, and Immune Factors"; <i>Annals New York Academy of Sciences; The Neurobiology of Alzheimer's Disease</i> ; pp.399-403 (1996) XP008065562.
	Pecori, J., et al; "Systemic administration of a neurotrophic drug in the complementary treatment of glaucomatous optic neuropathy"; <i>New Trends in Ophthalmology</i> ; Vol. IX, No. 2; pp. 85-91 (1994) XP008065559.

\*Examiner

### Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Initial a this form with next communication to application.